

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|--------------------------------|---|----------------|
| CHRISTOPHER CRENSHAW, | : | CIVIL ACTION |
| Administrator of the Estate of | : | |
| THOMAS CRENSHAW | : | |
| | : | No. 02-CV-4006 |
| v. | : | |
| | : | |
| | : | |
| UNITED STATES OF AMERICA | : | |

SECOND AMENDED SCHEDULING ORDER

AND NOW, this 9th day of October, 2003, following a telephone conference with counsel, it is **ORDERED** that the Amended Scheduling Order of September 4, 2003, is amended as follows:

1. Depositions of the parties' experts shall be concluded no later than **November 11, 2003**.

2. The parties have agreed that there will be no motions for summary judgment or *Daubert* motions filed.

3. On or before **November 17, 2003**, counsel for each party shall serve upon counsel for every other party:

(a) the original or a copy of each exhibit they expect to offer at trial in furtherance of their respective contentions. Each party shall mark its trial exhibits in advance of trial with consecutive numbers appropriately prefixed with an identifying letter of counsel's choice;

(b) curriculum vitae for each expert witness expected to testify; and

(c) a specific identification of each discovery item expected to be offered into evidence.

4. All parties shall prepare and file with the Clerk of Court their pretrial memoranda in accordance with this Order and Local Rule of Civil Procedure 16.1(c), as follows:

Plaintiff - on or before **November 17, 2003**.

Defendant - on or before **November 24, 2003**.

In addition to compliance with Local Rule of Civil Procedure 16.1(c), the parties shall include in or attach to their pretrial memoranda the following:

(a) a listing of the identity of each expert witness to be called at trial by the party;

(b) a curriculum vitae for each expert witness listed;

(c) a listing of each fact witness to be called at trial with a brief statement of the nature of their expected testimony (witnesses not listed may not be called by that party in its case-in-chief);

(d) an itemized statement of claimant's damages or other relief sought;

(e) a statement of any anticipated important legal issues on which the Court will be required to rule, together with counsel's single best authority on each such issue.

The pretrial memoranda shall be filed with the Clerk of the Court and two (2) copies shall be delivered to the Court.

5. A final pretrial conference will be held on **December 1, 2003 at 4:00 p.m.** in Chambers (Room 7614).

6. This case will be placed in the trial pool on **December 1, 2003**. This Scheduling Order is the only written notice counsel will receive of the date this case will be tried. Counsel and all parties shall be prepared to commence trial on that date and as soon thereafter as counsel receive telephone notice that trial is to commence. Counsel should

have the responsibility to maintain contact with the deputy clerk once the case goes into the pool. Every effort will be made to give counsel at least 24 hours notice and hopefully 48 hours notice of commencement of trial. Pool cases are to be ready for trial as of the date they are placed in the pool and are not called in the order in which they appear.

7. In all other respects, the Amended Scheduling Order of September 4, 2003, remains in effect.

TIMOTHY J. SAVAGE, J.